

1 **THIERMAN BUCK LLP**
2 MARK R. THIERMAN, Nev. Bar No. 8285
3 mark@thiermanbuck.com
4 JOSHUA D. BUCK, Nev. Bar No. 12187
5 josh@thiermanbuck.com
6 LEAH L. JONES, Nev. Bar No. 13161
7 leah@thiermanbuck.com
8 JOSHUA H. HENDRICKSON, Nev. Bar No.
9 12225
10 joshh@thiermanbuck.com
11 7287 Lakeside Drive
12 Reno, Nevada 89511
13 Telephone: (775) 284-1500
14 Facsimile: (775) 703-5027

15 **FAIRMARK PARTNERS, LLP**
16 JAMIE CROOKS, ESQ. (*Pro Hac Vice*)
17 AISHA RICH, ESQ. (*Pro Hac Vice*)
18 jamie@fairmarklaw.com
19 1825 7th St NW, #821
20 Washington, DC 20001

21 **TOWARDS JUSTICE**
22 DAVID H. SELIGMAN, ESQ. (*Pro Hac
23 Vice*)
24 NATASHA VITERI, ESQ. (*Pro Hac Vice*)
25 ALEXANDER HOOD, ESQ. (*Pro Hac
26 Vice*)
27 alex@towardsjustice.org
28 1535 High Street, Ste. 300
Denver, CO 80218

29 **EDELSON PC**
30 YAMAN SALAHI, ESQ. (*Pro Hac Vice*)
31 ysalahi@edelson.com
32 150 California Street, 18th Floor
33 San Francisco, California 94111

34 *Attorneys for Plaintiff and the Putative Class*

35 **EDELSON PC**
36 Natasha Fernández-Silber*
37 nfernandezsilber@edelson.com
38 350 N La Salle Dr., 14th Floor
39 Chicago, IL 60654
40 Tel: 312-589-6370
41 * Admitted in New York and Michigan

42 *Attorneys for Plaintiff and the Putative Class
(Cont'd)*

43 **WOODBURN AND WEDGE**
44 ELLEN JEAN WINOGRAD,
45 Nev. Bar No. 815
46 JOSE TAFOYA, Nev. Bar No. 16011
47 6100 Neil Road, Ste. 500
48 Reno, NV 89511
49 ewinograd@woodburnandwedge.com
50 Telephone: (775) 688-3000
51 Facsimile: (775) 688-3088

52 *Attorneys for Defendant Western Ranch
53 Association*

54 **CIRILO UCHARIMA ALVARADO, On Behalf
55 of Himself and All Others Similarly Situated;**

56 **Plaintiff,**

57 **vs.**

58 Case No. 3:22-cv-00249-MMD-CLB

WESTERN RANGE ASSOCIATION, a California non-profit corporation; ELLISON RANCHING COMPANY, a Nevada corporation; JOHN ESPIL SHEEP CO., INC., a Nevada corporation; F. I. M. CORP., a Nevada corporation; THE LITTLE PARIS SHEEP COMPANY, LLC, a Nevada limited liability company; BORDA LAND & SHEEP COMPANY, LLC, a Nevada limited liability company; HOLLAND RANCH, LLC, a Nevada limited liability company; NEED MORE SHEEP CO., LLC, a Nevada limited liability company; and FAULKNER LAND AND LIVESTOCK COMPANY, INC., an Idaho corporation;

Defendants.

**ORDER GRANTING STIPULATION
FOR EXTENSION OF TIME FOR
PARTIES TO FILE LR 26 STIPULATED
DISCOVERY PLAN AND SCHEDULING
ORDER**

(SECOND REQUEST)

Plaintiff CIRILO UCHARIMA ALVARADO (“Plaintiff”) and Defendant WESTERN RANGE ASSOCIATION (“WRA”) originally stipulated to, and requested that this Court, (1) grant Plaintiff leave to file a First Amended Complaint by June 16, 2023; (2) grant WRA leave to respond to the First Amended Complaint by July 17, 2023; and (3) order Plaintiff and WRA to file a stipulated discovery plan and scheduling order by June 30, 2023. *See* Dkt. 46, 47.

Plaintiff filed his First Amended Complaint on June 16, 2023. Dkt. 50. Although Plaintiff has added eight member ranches of the WRA as named defendants, the substance of Plaintiff's claims, factual allegations, and legal theories remain materially identical to those asserted in the original Complaint. WRA is planning to file its response, as stipulated, by July 17, 2023.

Plaintiff and WRA had their Local Rule 26(f) conference on May 24, 2023, within the timeframe previously specified by stipulation to this Court. *See* Dkt. 44. Plaintiff and WRA have since served initial disclosures, and WRA was served with Plaintiff's First Requests for Production on May 30, 2023. Plaintiff has agreed to extend WRA's deadline to respond to Plaintiff's First Requests for Production to July 28, 2023. Though the discovery process is now underway, the Parties were unable to reach consensus as to a stipulated discovery plan and scheduling order prior to the filing of the First Amended Complaint and the meet and confer process is still actively underway. The Parties believe they may be able to reach a consensus if they have additional time to negotiate. For this reason, the Parties further stipulate, and request that this Court allow them to move deadlines

1 at least 14 days to file their stipulated discovery plan and scheduling order by July 15, 2023.

2 This stipulation is the second request to move the deadline to file a stipulated discovery plan
3 and scheduling order, but is the first request following the Amendment of the Complaint and the
4 addition of the eight new defendants. The request is made to promote judicial economy (FRCP 1)
5 and not for purposes of delay.

6 This Stipulation was prepared by counsel for Defendant WRA with the consent of Plaintiff
7 and is made in good faith and not for purposes of delay.

8 Dated: June 28, 2023

Dated: June 28, 2023

9 **FAIRMARK PARTNERS, LLP**

WOODBURN AND WEDGE

10 /s/ Aisha Rich

/s/ Ellen Jean Winograd, Esq.

11 AISHA RICH, ESQ. (*Pro Hac Vice*)
12 1825 7th St NW, #821
13 Washington, DC 20001

ELLEN JEAN WINOGRAD
JOSE A. TAFOYA
6100 Neil Road, Ste. 500
Reno, NV 89511

14 *Counsel for Plaintiff and the Putative Class*

*Counsel for Defendant Western Range
Association*

15 **ORDER**

16 **IT IS SO ORDERED.**

17 Dated this 29th day of June 2023.

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U.S. Magistrate Judge